

Senator Carter moved that the Senate adjourn to 8 o'clock tonight.

Senator Kimbrough moved that the Senate adjourn to Monday morning at 9 o'clock. The latter motion prevailed and the Senate adjourned to Monday morning at 9 o'clock.

TWENTY-FIFTH DAY.

Senate Chamber. }
Austin, April 11, 1892. }

Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answered to their names:

PRESENT—28.

Atlee,	Lubbock,
Burney.	McKinney.
Clark,	Mott,
Clemens,	O'Neal,
Crane,	Potter,
Carter,	Page.
Cranford,	Pope.
Finch,	Seale,
Frank,	Searcy,
Garwood,	Simkins,
Ingram,	Sims.
Johnson,	Tyler,
Kearby,	Townsend,
Kimbrough,	Weisiger.

Prayer by the chaplain, Dr. Smoot.

Pending reading of the Journal, on motion of Senator Kearby, further reading was suspended.

COMMITTEE REPORTS.

COMMITTEE ROOM, }
Austin, Texas, April 11, 1892. }

Hon. Geo. C. Pendleton, president of the Senate:

Sir—Your committee on engrossed bills have carefully examined and compared Senate bill No. 23, being an act to amend articles 2578 and 2581, of chapter ten (10) of the revised civil statutes of the State of Texas, and to add thereto article 2589, providing for hypothecation of lands belonging to an estate in the hands of a guardian, and article 2589b, providing for the novation of existing indebtedness of estates in guardianship."

And find the same correctly engrossed.

Carter, Chairman.

Senator Burney offered the following concurrent resolution:

Resolved by the Senate, the House concurring, that the conference committee heretofore appointed to consider the differences between the House and the Senate on joint committee substitute bill for Senate bill No. 33 and House bill No. 12, known as Supreme Court bill, be and it is hereby granted all the powers of a free conference committee.

Adopted.

Senator Potter offered the following:

Whereas. The Senate of Texas has heard with much regret of the great sorrow, that has befallen the Senator from Wilbarger (Senator Stephens) in the death of his child, which renders his return to this session impossible.

Therefore, Be it resolved. 1st, That we deeply sympathize with our brother senator in this, his great and lasting sorrow and tender him and his family all the consolation such sympathy can give in such a bereavement.

Resolved, 2d. That these resolutions be spread upon the Journals of the Senate and a copy thereof forwarded to Senator Stephens by the secretary of the Senate.

Adopted.

Senator Page asked to be excused from serving on the investigating committee appointed by the Senate on Saturday, and on motion of Senator Kimbrough the request was granted. Senator Finch was appointed to serve on said committee in place of Senator Page.

Senator Weisiger moved to suspend the regular business and take up out of their order House bills Nos. 17 and 18 and consider them together, both being on the same subject.

Senator Searcy moved a call of the Senate on the motion which was ordered. Roll call developed the following:

PRESENT.—25.

Atlee,	Lubbock,
Burney,	McKinney,
Clark,	Mott,
Crane,	Potter,
Carter,	Page.
Cranford,	Pope.
Finch,	Seale,
Frank,	Searcy,
Garwood,	Simkins,
Ingram,	Sims,
Johnson,	Tyler.

Kearby,
Kimbrough

Weisiger.

ABSENT—5.

Clemens,
Glasscock,
Harrison,

O'Neal,
Townsend.

Senator Pope moved that the absentees under the call be excused.

Adopted by the following vote:

YEAS—19.

Clark,
Crane,
Carter,
Cranford,
Finch,
Frank,
Glasscock,
Johnson,
Kearby,
Kimbrough,

Lubbock,
McKinney,
Mott,
O'Neal,
Potter,
Page,
Pope,
Simkins,
Weisiger.

NAYS—2.

Seale,

Searcy.

Question recurring to Senator Weisiger's motion to take up House bills Nos. 17 and 18, it was adopted by the following vote:

YEAS—19.

Atlee,
Clark,
Crane,
Carter,
Cranford,
Finch,
Frank,
Glasscock,
Kearby,
Kimbrough,

Lubbock,
McKinney,
Mott,
O'Neal,
Potter,
Page,
Pope,
Seale,
Simkins,
Weisiger.

NAYS—6.

Burney,
Garwood,
Johnson,

Searcy,
Sims,
Tyler.

The following messages were received from the House:

House of Representatives,
Twenty-Second Legislature,
Austin, April 9, 1892.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the House has adopted the report of the free conference committee on the congressional apportionment bill,

and has appointed Messrs. McKinney, Brown, Gresham, Browning of Donley and Crawford as a conference committee on the supreme court bill:

and that the House adheres to its amendments to Substitute Senate bill No. 18. An act to locate the courts of civil appeals, and has appointed Messrs. Martin of Hood, Browning of

Lampasas, Batts, Urbahn and Williamson as a conference committee on the part of the House.

Respectfully,

GEO. W. FINGER,

Chief Clerk House of Representatives.

House of Representatives,

Twenty-Second Legislature,

Austin, Texas, April 11, 1892.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you of the passage of the following bill:

House bill No. 58, being "An act to extend the terms of the district court in Caldwell county in the Fifteenth Judicial district of the State of Texas, to repeal all laws and parts of laws in conflict herewith,

Respectfully,

GEO. W. FINGER,

Chief Clerk of the House of Representatives.

House of Representatives,

Twenty-Second Legislature,

AUSTIN, Texas, April 11, 1892.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the following amendment to Joint Committee Substitute for Senate bill No. 32 and House bill No. 11, "An act to organize courts of civil appeals, to define their jurisdiction and powers and prescribe the mode of procedure therein," to-wit: "Amend by adding to section 42 the following proviso: "Provided further that no rehearsing shall be granted in causes from which a writ of error may lie from the supreme court," was lost, and through mistake has been reported to you as passed.

Respectfully,

GEO. W. FINGER,

Chief Clerk of the House of Representatives.

House bill No. 58, entitled "an act to extend the terms of the district court of Caldwell county in the Fifteenth judicial district of the State of Texas" to repeal all laws and parts of laws in conflict herewith.

Read first time and referred to committee on Judicial districts.

The chair announced as the committee on the part of the Senate on differences between the houses on substitute Senate bill No. 18: Senators Crane, Atlee, Lubbock, Sims and Mott.

The chair also announced that he had appointed Senators Kimbrough, Townsend and Tyler as the committee to determine who of the senate em-

ployees should be retained after adjournment.

Senator Simkins withdrew his motion to reconsider the vote concurring in House amendments to the civil court bill, which was spread on the Journals of Saturday last.

House bill No. 17, entitled "An act to amend article 378, chapter 6, title 11 of the penal code of the state of Texas, as amended by, and article 378c, 378d and 378e, created by an act of the legislature of the state of Texas, entitled an act to amend article 378, chapter 6, title 11, of the penal code of the state of Texas, and to add article 378a, 378b, 378c, 378d and 378e to said chapter and title prohibiting the unlawfully selling of intoxicating liquors and defining and prohibiting blind tigers and providing rules of evidence and penalties therefor, approved March 30, 1887."

(On second reading.)

Bill read with favorable committee report.

On motion of Senator Sims the Senate agreed to consider House bill No. 18 first.

House bill No. 18, entitled "An act to amend articles 3227, 3236, 3238, 3239a, 3239b, 3239c of title 63 of the revised statutes of the state of Texas."

(On second reading.)

Bill read with favorable committee report.

Senator Glasscock moved that the bill be printed in the Journal and made it special order for tomorrow morning after the morning call.

Pending action, the chair laid before the Senate the following privileged resolution, presented by Senator Garwood:

Resolved, That the committee heretofore appointed to investigate the manner in which the secrets of the executive sessions of this body have been made known, be and they are hereby authorized to summon and swear witnesses, and that the summons of the committee, signed by the chairman thereto shall be sufficient authority to compel the appearance and answers of all such witnesses.

Adopted.

By permission Senator Townsend presented the following:

COMMITTEE ROOM, }
Austin, April 11, 1892. }
Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts have carefully considered House bill No. 58, being "An

act to extend the terms of the district court in Caldwell county in the Twenty-second Judicial district of the State of Texas and to repeal all laws and parts of laws in conflict herewith," and report the same back with the recommendation that it do pass with the accompanying amendment.

Townsend, Chairman.

BILLS SIGNED BY THE PRESIDENT.

The chair gave notice of signing and signed in open Senate after their captions had been read House bill No. 21, being a bill to be entitled "An act to amend title 54, articles 2976, 2977, 2978, 2979, 2980 and 2981, of the revised statutes of the State of Texas, regulating the rate of interest and defining usury, and to add thereto article 2981a. To regulate the rate of interest and prevent usury and to repeal 'An act to be entitled an act to define and punish usury,' passed at the regular session of the Twenty-Second Legislature and all laws and parts of laws in conflict with the provisions of this act"

And House bill No. 54, entitled "An act to amend an act to reorganize the 35th judicial district, and to create the 51st judicial district of the State, presented to the governor March 3, 1891, but not being signed by him, returned with his objection within the time prescribed by the constitution became a law without his signature."

Senator Glasscock withdrew his motion to print the bill in the journals and moved that the call of the Senate be suspended.

Adopted.

Senator Searcy renewed the motion of Senator Glasscock to print House bill No. 18 in the journals of today.

Lost by the following vote:

YEAS—11.

Atlee,	Seale,
Glasscock,	Searcy,
Garwood,	Sims,
Ingram,	Tyler,
Johnson,	Townsend.
Mott,	

NAYS—14.

Clark,	McKinney,
Crane,	O'Neal,
Cranford,	Potter,
Frank,	Page,
Harrison,	Pope,
Kearby,	Simkins,
Kimbrough,	Weisiger.

Senator Tyler moved to suspend the

rules and take up Senate bill No. 29 on the same subject, upon which the following vote was taken:

YEAS—13.

Atlee,	O'Neal,
Clemens,	Seale,
Glasscock,	Searcy,
Garwood,	Sims,
Ingram,	Tyler,
Johnson,	Townsend,
Mott,	

NAYS—13.

Clark,	McKinney,
Crane,	Potter,
Cranford,	Page,
Frank,	Pope,
Harrison,	Simkins,
Kearby,	Weisiger.
Kimbrough,	

Their being a tie the chair voted "no," and the motion was lost.

Senator Johnson moved to lay House bill No. 18 on the table.

Senator Searcy moved a call of the Senate, which was ordered.

Roll called with the following result:

PRESENT—29.

Atlee,	Lubbock,
Clark,	McKinney,
Clemens,	Mott,
Crane,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Simkins,
Harrison,	Sims,
Ingram,	Tyler,
Johnson,	Townsend,
Kearby,	Weisiger.
Kimbrough,	

Senator Pope moved to excuse the absentees.

Adopted by the following vote:

YEAS—20.

Atlee,	Kimbrough,
Clark,	Lubbock,
Crane,	McKinney,
Carter,	Mott,
Cranford,	O'Neal,
Frank,	Potter,
Garwood,	Page,
Harrison,	Pope,
Ingram,	Simkins,
Kearby,	Weisiger.

NAYS—6.

Clemens,	Searcy,
Glasscock,	Tyler.
Seale,	Townsend.

Question recurring to Senator Johnson's motion to table the bill, the motion was lost by the following vote:

YEAS—12.

Atlee,	Johnson,
Clemens,	Seale,
Carter,	Searcy.
Glasscock,	Sims,
Garwood,	Tyler.
Ingram,	Townsend.

NAYS—17.

Clark,	McKinney,
Crane,	Mott,
Cranford,	O'Neal,
Finch,	Potter,
Frank,	Page,
Harrison,	Pope,
Kearby,	Simkins,
Kimbrough,	Weisiger.
Lubbock,	

Senator Mott offered the following: "Amend by striking out all but the enacting clause and insert in lieu thereof the provisions of Senate bill No. 29 as engrossed."

Senator Pope moved the previous question on the amendment, which was seconded.

Senator Townsend moved a call of the Senate, which was ordered.

Roll call developed to following:

PRESENT—29.

Atlee,	Lubbock,
Clark,	McKinney,
Crane,	Mott,
Clemens,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Simkins,
Harrison,	Sims,
Ingram,	Tyler,
Johnson,	Townsend,
Kearby,	Weisiger.
Kimbrough,	

ABSENT—1.

Burney,

Senator Page moved that the absentees be excused under the present call.

Adopted by the following vote:

YEAS—17.

Atlee,	McKinney,
Clark,	Mott,
Crane,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Frank,	Pope,
Harrison,	Simkins,
Kearby,	Weisiger.
Kimbrough,	

NAYS—10.

Clemens,	Seale,
Glasscock,	Searcy,
Garwood,	Sims,
Ingram,	Tyler,
Johnson,	Townsend.

Senator Burney appeared in the chamber and took his seat.

There being a full Senate the question recurred to Senator Pope's motion of the previous question, which was ordered by the following vote:

YEAS—19.

Atlee,	Mott,
Burney,	O'Neal,
Clemens,	Pope,
Carter,	Potter,
Glasscock,	Seale,
Garwood,	Searcy,
Ingram,	Sims,
Johnson,	Tyler,
Kearby,	Townsend,
Lubbock,	

NAYS—9.

Clark,	McKinney,
Crane,	Page,
Cranford,	Simkins,
Finch,	Weisiger.
Kimbrough,	

Senator Mott's amendment was adopted.

(Senator Crane in the chair.)

Senator Kearby offered the following:

Amend section 1 by striking out all after figures 99 in line 27 and adding thereto the following: "Be so amended as to hereafter read as follows."

Adopted.

Senator Kearby offered the following:

Amend article 3227 by adding the following: "Provided that in any subdivision of a county as herein provided there shall be within such subdivision some school, academy, college or other institute of learning."

Adopted.

The bill passed to a third reading by the following vote:

YEAS—17.

Clark,	McKinney,
Crane,	Mott,
Cranford,	O'Neal,
Frank,	Potter,
Harrison,	Pope,
Ingram,	Seale,
Johnson,	Simkins,
Kearby,	Weisiger.
Kimbrough,	

NAYS—7.

Clemens,	Sims.
Glasscock,	Tyler.

Garwood,	Townsend,
Searcy,	

Senator Pope moved that the constitutional rule requiring bills to be read on three several days in each House be suspended and the bill be put upon its third reading and final passage. Lost by the following vote:

YEAS—18.

Burney,	McKinney,
Clark,	Mott,
Crane,	O'Neal,
Caanford,	Potter,
Frank,	Pope,
Harrison,	Seale,
Ingram,	Simkins,
Kearby,	Sims,
Kimbrough,	Weisiger.

NAYS—7.

Clemens,	Searcy.
Glasscock,	Tyler,
Garwood,	Townsend.
Johnson,	

The following messages were received from the House:

Hall House of Representatives, }
Twenty-Second Legislature, }
Austin, April 11, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the House has adopted Senate concurrent resolution to confer upon the conference committees appointed on Senate bill No. 33 and House bill No. 12, known as the Supreme Court bill, the powers of a free conference committee.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.
House of Representatives, }
Twenty-Second Legislature, }
Austin, Texas, April 11, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the House has adopted the free conference report on substitute House bill Nos. 6, 7, 9, 25 and 29, "An act to apportion the state into senatorial districts."

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.
House of Representatives }
Twenty-Second Legislature, }
Austin, Texas, April 11, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the House concurs in

Senate amendment to House bill No. 58. "An act to extend the time of the district court in Caldwell county, in the Twenty-second judicial district of the state of Texas, and to repeal all laws in conflict herewith."

Also, has concurred in Senate amendments to House bill No. 14. "An act carrying into effect constitutional amendment to article 7, section 5."

Respectfully,

GEO. W. FINGER,

Chief clerk of the house of representatives.

Senator Clemens moved to suspend pending business and take up House bill No. 58.

Adopted.

Senator Burney moved to reconsider the vote adopting Senator Clemens's motion.

Adopted.

Senator Burney moved that the constitutional rule requiring bills to be read in each house on three several days be suspended in order to take up House bill No. 58.

Adopted by the following vote:

YEAS—20.

Burney,	Kimbrough,
Clemens,	Mott,
Crane,	Potter,
Cranford,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Sims,
Harrison,	Tyler,
Ingram,	Townsend,
Johnson,	Weisiger.

NAYS—4.

Clark,	McKinney,
Kearby,	Simkins,

Bill read with committee amendments.

The committee amendments were adopted.

Bill passed to third reading.

Senator Clemens moved to again suspend the constitutional rule requiring bills to be read on three several days in each house and the bill be put upon its third reading and final passage.

Adopted by the following vote:

YEAS—22.

Atlee,	Mott,
Burney,	Potter,
Clemens,	Page,
Crane,	Pope,
Frank,	Seale,
Glasscock,	Searcy,

Garwood,	Simkins,
Ingram,	Sims,
Johnson,	Tyler,
Kimbrough,	Townsend,
McKinney,	Weisiger.

NAYS—1.

Clark,

Bill read third time and passed.

Senator Page moved to again suspend the rules in order to take up substitute House bills Nos. 22, 23 and 31.

Withdrawn.

Senator Kimbrough moved to suspend the rules in order to take up House bill No. 14.

Adopted.

Bill on third reading.

House bill No. 14, a bill to be entitled "An act carrying into effect constitutional amendment to article 7, section 8, transferring annually one per cent of the permanent to the available school fund."

Read a third time and passed by the following vote:

YEAS—15.

Atlee,	McKinney,
Burney,	O'Neal,
Clark,	Potter,
Glasscock,	Pope,
Garwood,	Seale,
Johnson,	Tyler,
Kearby,	Weisiger.
Kimbrough,	

NAYS—9.

Clemens,	Page,
Crane,	Searcy,
Frank,	Simkins,
Ingram,	Townsend,
Mott,	

Senator Burney moved to reconsider the vote passing the bill and to lay that motion on the table.

The motion to table prevailed.

Senator Page moved to suspend pending business and take up substitute House bills No. 22, 23 and 31.

Adopted.

Bill on second reading.

Substitute House bills Nos. 22, 23 and 31, entitled "An act to limit and regulate the ownership by aliens of real estate in the state of Texas and to provide for the escheat of lands held contrary to law, and to repeal all laws in conflict with this act."

Read with favorable committee report and amendments.

(Lieutenant Governor Pedleton in the chair.)

Amendments considered separately.
First and second amendments read,
and

Adopted by the following vote:

YEAS—15.

Atlee,	Mott,
Burney,	Seale,
Clemens,	Searcy,
Crane,	Simkins,
Carter,	Sims,
Glasscock,	Tyler,
Garwood,	Townsend,
Ingram,	

NAYS—14.

Clark,	Kimbrough,
Cranford,	Lubbock,
Finch,	McKinney,
Frank,	O'Neal,
Harrison,	Potter,
Johnson,	Page,
Kearby,	Weisiger.

Third amendment read.

After debate Senator Mott moved the previous question on the amendments, which was ordered.

Third amendment; striking out limitation of alien ownership of 640 acres, was adopted by the following vote.

YEAS—20.

Atlee,	Lubbock,
Burney,	Mott,
Clemens,	Pope,
Crane,	Seale,
Carter,	Searcy,
Glasscock,	Simkins,
Garwood,	Sims,
Harrison,	Tyler,
Ingram,	Townsend,
Johnson,	Weisiger.

NAYS—9.

Clark,	Kimbrough,
Cranford,	McKinney,
Finch,	O'Neal,
Frank,	Page.
Kearby,	

Fourth amendment read and adopted.

Fifth amendment read and adopted.
Senator Johnson offered the following:

Amend section 2 by striking out all that part which exempts from the operation of the act cities, towns and villages.

Senator Page moved the previous question on the amendment and the bill which was ordered.

Senator Johnson's amendment was adopted by the following vote:

YEAS—19.

Burney,	Lubbock,
Cark,	McKinney,
Clane,	Mott,
Carter,	O'Neal,
Cranford,	Potter,

Finch,
Harrison,
Ingram,
Johnson,
Kearby,

Page,
Pope,
Tyler,
Townsend,

NAYS—10.

Atlee,	Kimbrough,
Clemens,	Seale,
Frank,	Searcy,
Glasscock,	Sims,
Garwood,	Weisiger.

Bill passed to third reading by the following vote:

YEAS—21.

Clark,	Kearby,
Clemens,	Kimbrough,
Crane,	McKinney,
Carter,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Frank,	Pope,
Glasscock,	Seale,
Garwood,	Tyler,
Harrison,	Weisiger,
Johnson,	

NAYS—8.

Atlee,	Mott,
Burney,	Searcy,
Ingram,	Simkins,
Lubbock,	Sims.

The following privileged report was presented:

COMMITTEE ROOM, }
Austin, April 11, 1892. }

Hon. George C. Pendleton, President of the Senate:

Hon. R. T. Milner, Speaker of the House:

Sirs—Your committee on Free Conference to whom was referred substitute House bill Nos. 6, 7, 9, 25, 29, being "A bill to be entitled an act to apportion the State of Texas into senatorial districts, and to repeal articles 11, 12 and 13, chapter 13, of the general laws of the state, approved May 3, 1882, and article 13 of title 4 of the revised civil statutes."

Have had the same under consideration, with the Senate amendments thereto, and we report the same back to the House and Senate with the recommendation that the following substitute for such bill and its amendments be adopted in lieu of the same.

Page,
Clark,
Carter,
McKinney,
Connellee,
Cochran,
Davis,
Gough,
Wilson.

Chairman.

An Act to apportion the State of Texas into Senatorial districts and to repeal all laws in conflict herewith.

Section 1. Be it enacted by the legislature of the State of Texas that the Senatorial districts of the State of Texas shall hereafter be composed respectively of the following named counties, each of which districts shall be entitled to elect one senator, to-wit:

SENATORIAL DISTRICTS.

First district—Bowie, Cass, Marion and Morris.

Second district—Red River, Titus, Camp, Franklin, Hopkins and Delta.

Third district—Lamar and Fannin.

Fourth district—Grayson and Cooke.

Fifth district—Collin and Hunt.

Sixth district—Dallas and Rockwall.

Seventh district—Raines, Van Zandt, Wood, Smith, Gregg and Upshur.

Eighth district—Harrison, Rusk, Panola and Shelby.

Ninth district—Navarro, Henderson and Kaufman.

Tenth district—Ellis, Johnson and Hill.

Eleventh district—McLennan, Falls and Milam.

Twelfth district—Limestone, Freestone, Robertson and Brazos.

Thirteenth district—Anderson, Cherokee, Houston, Angelina and Trinity.

Fourteenth district—Nacogdoches, San Augustine, Sabine, Newton, Jasper, Tyler, Liberty, Hardin, Orange and Jefferson.

Fifteenth district—Leon, Madison, Grimes, Montgomery, Walker, San Jacinto and Polk.

Sixteenth district—Harris, Fort Bend, Waller and Austin.

Seventeenth district—Chambers, Galveston, Brazoria, Matagorda and Wharton.

Eighteenth district—Colorado, Lavaca and Fayette.

Nineteenth district—Washington, Burleson, Lee and Bastrop.

Twentieth district—Williamson, Travis and Burnet.

Twenty-first district—Gonzales, Caldwell, Guadalupe, Comal, Hays and Blanco.

Twenty-second district—Jackson, Calhoun, Victoria, Dewitt, Goliad, Refugio, Bee, Live Oak, Karnes, Wilson, Atascosa, McMullen, LaSalle and Frio.

Twenty-third district—Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, Duval, Nueces, San Patricio and Aransas.

Twenty-fourth district—Bexar, Medina, Bandera, Kendall, Kerr and Gillespie.

Twenty-fifth district—Llano, Mason, Kimble, Menard, Schleicher, Sutton, Crockett, Tom Green, Coke, Sterling, Irion, Pecos, Buchel, Foley, Brewster, Presidio, Jeff Davis, El Paso, Val Verde, Edwards, Kinney, Uvalde, Zavalla, Dimmit and Maverick.

Twenty-sixth district—Erath, Comanche, Mills, San Saba, McCulloch, Concho, Runnels, Coleman and Brown.

Twenty-seventh district—Bell, Lampasas, Coryell, Hamilton and Bosque.

Twenty-eighth district—Palo Pinto, Stephens, Eastland, Callahan, Taylor, Nolan, Mitchell, Howard, Martin, Anderson, Glasscock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Reeves, Gaines, Yoakum, Terry, Lynn, Dawson, Borden, Garza, Kent, Scurry, Fisher, Stonewall, Haskell, Jones and Shackelford.

Twenty-ninth district—Jack, Young, Throckmorton, Clay, Archer, Wichita, Wilbarger, Baylor, Knox, Foard, Hardeman, Greer, Kinney, Dickens, Crosby, Lubbock, Hockley, Cochran, Bailey, Lamb, Hale, Floyd, Motley, Childress, Hall, Briscoe, Swisher, Castro, Parmer, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Wheeler, Gray, Carson, Potter, Oldham, Hartley, Moore, Hutchinson, Roberts, Hemphill, Lipscomb, Ochiltree, Hansford, Sherman and Dalham.

Thirtieth district—Tarrant, Parker, Hood and Somervell.

Thirty-first district—Denton, Wise and Montague.

Section 2. The county judges of the following counties shall receive returns and count the votes and issue certificates of election to persons receiving the highest number of votes for Senator at any election in their respective districts, to wit:

First district, Bowie county.

Second district, Red River county.

Third district, Lamar county.

Fourth district, Grayson county.

Fifth district, Collin county.

Sixth district, Dallas county.

Seventh district, Smith county.

Eighth district, Rusk county.

Ninth district, Navarro county.

Tenth district, Ellis county.
 Eleventh district, McLennan county.
 Twelfth district, Limestone county.
 Thirteenth district, Cherokee county.
 Fourteenth district, Tyler county.
 Fifteenth district, Leon county.
 Sixteenth district, Harris county.
 Seventeenth district, Galveston county.
 Eighteenth district, Colorado county.
 Nineteenth district, Lee county.
 Twentieth district, Williamson county.
 Twenty-first district, Hays county.
 Twenty-second district, Bee county.
 Twenty-third district, Nueces county.
 Twenty-fourth district, Bexar county.
 Twenty-fifth district, Tom Green county.
 Twenty-sixth district, Brown county.
 Twenty-seventh district, Bell county.
 Twenty-eighth district, Eastland county.
 Twenty-ninth district, Clay county.
 Thirtieth district, Tarrant county.
 Thirty-first district, Wise county.

Section 3. All laws in conflict with this act are hereby repealed.

Section 4. The near approach of the close of the session, and the large amount of business undisposed of, creates an emergency and an imperative public necessity, justifying the suspension of the constitutional rule requiring bills to be read on three several days, and it is so suspended.

Report adopted.

Senator Tyler moved to reconsider the vote adopting the report.

Adopted.

Question recurring to the adoption of the report as read, it was adopted by the following vote:

YEAS—21.

Atlee,	Kimbrough,
Burney,	Lubbock,
Clark,	McKinney,
Clemens,	Mott,
Crane,	Potter,
Cranford,	Page,
Finch,	Pope,
Garwood,	Searcy,
Harrison,	Sims,
Ingram,	Townsend,
Kearby,	

NAYS—6.

Frank,	Seale,
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Glasscock,	Simkins,
Johnson,	Tyler.

Senator Tyler moved to reconsider the vote passing Senate House bill Nos. 22, 23 and 31, to a third reading.

Pending action Senator Simkins moved that the Senate go into executive session.

Adopted by the following vote:

YEAS.—18

Atlee,	Kimbrough,
Burney,	Lubbock,
Clemens,	McKinney,
Crane,	Seale,
Frank,	Simkins,
Glasscock,	Sims,
Harrison,	Tyler,
Ingram,	Townsend,
Johnson,	Weisiger.

NAYS.—10.

Clark,	Mott,
Carter,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Kearby,	Searcy.

IN SENATE.

On motion of Senator Burney the Senate adjourned to 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answered to their names:

PRESENT—23.

Burney,	Kearby,
Clark,	Kimbrough,
Clemens,	McKinney,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Sims,
Harrison,	Tyler,
Ingram,	Weisiger.
Johnson,	

Senator Frank offered the following concurrent resolution:

Be it resolved by the Senate, the House concurring, that the call session of the Twenty-second Legislature adjourn sine die at noon Tuesday, April the 12th, 1892.

On motion of Senator Page the resolution was laid on the table subject to call.

Senator Frank moved to reconsider the vote tabling the resolution.

Senator Pope moved to table the motion to reconsider.

Lost by the following vote:

YEAS—11.

Clark,	Kearby,
Clemens,	O'Neal,
Carter,	Page,
Glasscock,	Pope
Harrison,	Townsend.
Johnson,	

NAYS—12.

Burney,	Kimbrough,
Cranford,	McKinney,
Finch,	Potter,
Frank,	Seale,
Garwood,	Searcy.
Ingram,	Tyler.

Question recurring to Senator Frank's motion to reconsider, it was adopted by the following vote:

YEAS—15.

Burney,	McKinney,
Clark,	Potter,
Cranford,	Pope,
Frank,	Seale,
Garwood,	Searcy,
Harrison,	Tyler,
Johnson,	Townsend.
Kimbrough,	

NAYS—9.

Clemens,	O'Neal,
Carter,	Page,
Finch,	Simkins.
Glasscock,	Weisiger.
Kearby,	

Senator Page offered the following: Amend by striking out 12 m., and insert 9:30 p. m.

Senator Pope moved a call of the Senate, which was ordered.

Roll call developed the following:

PRESENT—25.

Burney,	Kimbrough,
Clark,	McKinney,
Clemens,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Simkins,
Harrison,	Tyler,
Ingram,	Townsend,
Johnson,	Weisiger.
Kearby,	

ABSENT—5.

Atlee,	Mott,
Crane,	Sims.
Lubbock,	

On motion of Senator Clark, Senator Cranford was excused from attendance

on the Senate after today on account of important business.

On motion of Senator Frank, Senator Potter was excused after today for like cause.

On motion of Senator Lubbock, Senator Harrison was excused for non-attendance on the Senate for Saturday last on account of sickness.

On motion of Senator Kimbrough, Assistant Doorkeeper Worrell was excused from attendance after today on account of important business.

The following messages were received from the House:

Hall House of Representatives, }
Twenty-Second Legislature, }
Austin, April 12, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform the you of the passage of the following bill and resolution:

House Committee Resolution for the appointment of a committee of five to co operate with the World's Fair directors, etc., and has appointed Messrs. Rogers, Swayne, Gresham, Cochran and Truit as such committee on the part of the House.

Also Senate bill No. 23. An act to amend articles 2578 and 2581, of chapter 10 of the revised civil statutes of the State of Texas and to add thereto articles 2589a providing for hypothecation of lands belonging to all estate in the hands of a guardian and article 2589b, providing for the novation of existing indebtedness in guardianship," with an amendment.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

House Committee Resolution. Resolved by the House, the Senate concurring, that a joint committee of five members of each house be appointed to confer with the officers and directors of the Texas World's Fair exhibition association in the city of Austin on the 12th day of April, instant, with the view of inviting the South American and Central American countries to participate with the people of Texas in holding a great fair in Texas during the fall of this year. Adopted April 11, 1892.

GEO. W. FINGER,
Chief clerk of the house of representatives.

House of Representatives, }
Twenty-Second Legislature, }
Austin, Texas, April 11, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Iam directed by the House to inform you of the passage of the following resolution:

House Concurrent Resolution, appropriating \$200 or so much thereof as may be necessary for the Secretary of State to employ such clerical force as may be necessary to copy the laws of the called session of 22d Legislature.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

The following privileged report was presented:

COMMITTEE ROOM, }
Austin, Texas, April 11, 1892. }
To the Honorable Senate and House
of Representatives of the State of
Texas:

The committee of free conference to whom were referred the difference between the two Houses, in respect to the joint committee substitute bill for Senate bill No. 33 and House bill No. 12, beg leave to report that they have carefully considered the same, and they recommend:

1. That the House recede from the first House amendment, and that the following be substituted for the words stricken out by said amendment: "And it must appear that the errors complained of arise upon question of law, the determination of which was necessary to the adjudication of the cause in the court of civil appeals, and that said questions were properly presented to said court.

2. That the Senate concur in the second, third, fourth, fifth, sixth and seventh House amendments.

3. That there be added to the caption of the title the following: "And to provide for the transfer of cases pending in the supreme court to the court of appeals." Respectfully submitted,

Sirakins,
Crane,
Mott,
Johnson,
Townsend,

For the Senate.
McKinney,
Browning of Donley,
Gresham,
Brown of Grayson,

For the House.

The report was adopted.

The absent Senators, (acting or committee) having appeared question recurred to Senator Page's amendment. Senator Johnson offered the following substitute:

"Strike out 9:30 and insert 6 o'clock." Substitute adopted.

Question being on the amendment as substituted, it was adopted by the following vote:

YEAS—17

Atlee,	Kimbrough,
Burney,	Lubbock,
Clemens,	McKinney,
Crane,	Mott,
Cranford,	Potter,
Frank,	Pope,
Garwood,	Searcy,
Ingram,	Tyler.
Johnson,	

NAYS.—13.

Clark,	Page,
Carter,	Seale,
Finch,	Simkins,
Glasscock,	Sims,
Harrison,	Townsend,
Kearby,	Weisiger.
O'Neal,	

Senator Tyler withdrew his motion to reconsider the vote passing

Substitute House bills Nos. 22, 23 and 31 to a third reading, which was pending on adjournment.

Senator Page moved that the constitutional rule requiring bills to be read on three several days in each House be suspended and the bill be put upon its third reading and final passage.

Adopted by the following vote:

YEAS—21.

Burney,	Johnson,
Clark,	Kearby,
Clemens,	Kimbrough,
Carter,	McKinney,
Cranford,	O'Neal,
Finch,	Potter,
Frank,	Page,
Glasscock,	Seale,
Garwood,	Tyler,
Harrison,	Weisiger.
Ingram,	

NAYS—2.

Searcy. Townsend.

Bill read third time and passed.
(Senator Johnson in the chair.)

Senator Townsend called up the House concurrent resolution appointing a committee of five from each house to confer with directors of the Texas World's fair committee, and moved to concur in the resolution.

Resolution read and the Senate concurred.

Senator Carter moved that the rule be further suspended in order to concur in House amendments to Senate bill No. 23.

Adopted.

The House amendments were concurred in.

Senator Searcy moved to further suspend the rules and take up the report on the International investigation.

Lost by the following vote:

YEAS—7.

Garwood,	Seale,
Ingram,	Searcy,
Johnson,	Tyler.
Page,	

NAYS—14.

Burney,	Kimbrough,
Clemens,	McKinney,
Cranford,	O'Neal,
Finch,	Potter,
Frank,	Pope,
Glasscock,	Simkins,
Kearby,	Weisiger.

Pending business being consideration of Senate bills Nos. 20 and 37, and question being to substitute Senate bill No. 20 for Senate bill No. 37,

Senator Searcy moved a call of the Senate, which was ordered.

The roll call developed the following:

PRESENT—24.

Burney,	McKinney,
Clark,	Mott,
Clemens,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Frank,	Pope,
Glasscock,	Seale,
Garwood,	Searcy,
Ingram,	Simkins,
Johnson,	Tyler,
Kearby,	Townsend,
Kimbrough,	Weisiger.

ABSENT—5.

Crane,	Lubbock,
Carter,	Sims.
Harrison,	

On motion of Senator Seale the Senate took a recess for thirty minutes.

AFTER RECESS.

The chair announced Senators Crane, Carter, McKinney, Clemens and Clark as a committee from the Senate on the

House concurrent "World's Fair" resolution adopted before recess.

Question before the Senate being the motion to substitute Senate bill No. 20 for Senate bill No. 37.

Senator Garwood moved a call of the Senate, which was ordered.

The roll call developed the following:

PRESENT—28.

Clark,	Lubbock,
Clemens,	McKinney,
Crane,	Mott,
Carter,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Frank,	Pope,
Glasscock,	Seale,
Garwood,	Searcy,
Harrison,	Simkins,
Ingram,	Sims,
Johnson,	Tyler,
Kearby,	Townsend,
Kimbrough,	Weisiger.

ABSENT—2.

Atlee.	Burney.
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Senator Kearby moved to excuse the absentees.

Lost by the following vote:

PRESENT—17.

Clark,	Lubbock,
Clemens,	McKinney,
Crane,	Mott,
Carter,	O'Neal,
Cranford,	Page,
Finch,	Pope,
Frank,	Simkins,
Harrison,	Weisiger.
Kearby,	

ABSENT.—10.

Glasscock,	Seale,
Garwood,	Searcy,
Ingram,	Sims,
Johnson,	Tyler,
Kimbrough,	Townsend.

And pending business went to the table under the call.

Senator Pope called up

House bill No. 17, being "An act to amend article 378, chapter 6, title 11, of the penal code of the state of Texas, as amended and articles 378c, 378d and 378e created by an act of the legislature of the state of Texas, entitled an act to amend article 378, chapter 6, title 11, of the penal code of

the state of Texas, and to add articles 378a, 378b, 378c, 378d and 378e to said chapter and title, prohibiting the unlawfully selling of intoxicating liquors and defining and prohibiting blind tigers and providing rules of evidence and penalties therefor; approved March 30, 1887."

Bill read.

Senator Searcy moved that the Senate adjourn at 9:30 tomorrow.

Senator Townsend moved to adjourn to 10:30 tomorrow.

Lost by the following vote:

YEAS—10.

Garwood,	Seale,
Harrison,	Searcy,
Ingram,	Sims,
Johnson,	Tyler,
Mott,	Townsend,

NAYS—18.

Burney,	Kearby,
Clark,	Kimbrough,
Clemens,	Lubbock,
Crane,	McKinney,
Carter,	O'Neal,
Cranford,	Page,
Finch,	Pope,
Frank,	Simkins,
Glasscock,	Weisiger,

Motion to adjourn to 9:30 was lost by the following vote:

YEAS—12.

Atlee,	Mott,
Burney,	Seale,
Garwood,	Searcy,
Harrison,	Sims,
Ingram,	Tyler,
Johnson,	Townsend,

NAYS—17.

Clark,	Kimbrough,
Clemens,	Lubbock,
Crane,	McKinney,
Carter,	O'Neal,
Cranford,	Page,
Finch,	Pope,
Frank,	Simkins,
Glasscock,	Weisiger,
Kearby,	

The Senate being full, question recurred to the motion to substitute Senate bill No. 20 for Senate bill No. 37. The motion prevailed.

Question recurring on the passage of the bill to a third reading.

Senator Kearby moved the previous question on the bill.

Question being shall the main question be ordered? It was lost by the following vote:

YEAS—12.

Clark,	Harrison,
Clemens,	Kearby,
Crane,	McKinney,
Carter,	O'Neal,
Cranford,	Pope,
Finch,	Weisiger,

NAYS—18.

Atlee,	Mott,
Burney,	Potter,
Frank,	Page,
Glasscock,	Seale,
Garwood,	Searcy,
Ingram,	Simkins,
Johnson,	Sims,
Kimbrough,	Tyler,
Lubbock,	Townsend,

Senator Glasscock moved to suspend the rules and take up House bill No. 19.

Senator Simkins moved to adjourn to 9 o'clock tomorrow.

Lost.

Senator Glasscock's motion was lost by the following vote:

YEAS—15.

Burney,	Johnson,
Clemens,	Kimbrough,
Crane,	McKinney,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Tyler,
Garwood,	Weisiger,
Harrison,	

NAYS—15.

Atlee,	O'Neal,
Clark,	Potter,
Carter,	Page,
Cranford,	Searcy,
Ingram,	Simkins,
Kearby,	Sims,
Lubbock,	Townsend,
Mott,	

Senator Carter moved to suspend the rules in order to act upon the following resolution:

Resolved, by the Senate of the State

Texas, the House of Representatives concurring. That whereas the World's Fair committee of Texas, composed of citizens of the state are making efforts to have an exhibit of the resources of the State of Texas at the World's Fair, to be held in the city of Chicago, in the state of Illinois, in May, 1893, and whereas the constitution of this State prohibits the State Legislature from making an appropriation out of the state treasury for such an exhibit, and whereas it is important that the great resources of this State should be exhibited at said World's Fair, therefore be it resolved by the legislature of the State of Texas, that the efforts of the said committee in trying to have an exhibit of the resources of Texas at said World's fair are commended and the citizens of Texas individually and collectively are urged and requested to co-operate with and lend all aid to said committee within their means, and said committee are hereby assured that the legislature of this state and its citizens will always hold in grateful remembrance the patriotism of said committee in their devotion to the best interests of our State.

Resolution was adopted.

Senator Townsend moved to further suspend the rules and take up the report on the International receivership.

Lost by the following vote:

YEAS—15.

Atlee,	Mott,
Clark,	Page,
Clemens,	Seale,
Carter,	Searcy,
Garwood,	Sims,
Ingram,	Tyler,
Johnson,	Townsend,
Lubbock,	

NAYS—14.

Burney,	Kearby,
Crane,	Kimbrough,
Cranford,	McKinney,
Finch,	O'Neal,
Frank,	Potter,
Glasscock,	Simkins,
Harrison,	Weisiger.

Senator Crane moved to adjourn to 9 o'clock tomorrow morning.

Lost.

Senator Townsend moved to adjourn to 9:30 tomorrow morning.

Lost by the following vote:

YEAS—13.

Atlee,	Potter,
Garwood,	Seale,
Glasscock,	Searcy,
Harrison,	Simkins,
Ingram,	Sims,
Johnson,	Tyler.
Kimbrough,	

NAYS—16.

Burney,	Kearby,
Carter,	Lubbock,
Clark,	Mott,
Clemens,	O'Neal,
Crane,	Page,
Cranford,	Pope,
Finch,	Townsend,
Grank,	Weisiger.

I vote "no" on my motion to adjourn to tomorrow at request of President, in order to appoint conference committee on alien land law bill, which was announced from the House while the roll was being called.

Townsend.

House of Representatives, }
Twenty-Second Legislature. }
Austin, Texas, April 11, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the house to inform you that the house has adopted the report of the free conference committee on substitute Senate bill No. 33 and House bill No. 12, and that the house refuses to concur in Senate amendment to substitute house bills Nos. 22, 23 and 31. The Alien land law, and ask for the appointment of a free conference committee. and Messrs. Gossett, Gresham, Terrell, Curry and White appointed as such committee on part of the House.

Respectfully,

GEO. W. FINGER,

Chief clerk of the House of Representatives.

On motion of Senator Page the request of the House for a free conference was granted, and the Chair appointed Senators Potter, Page, Searcy, Garwood and Weisiger as the committee on the part of the Senate.

On motion of Senator Crane the Senate adjourned till tomorrow morning at 9 o'clock.